Dear Jim,

8/2/93

It is probable that you sent me the earlier 0322/0420 transcripts. That they are not in my office does not mean I do not have them. I did not recall this and you made no reference to them in your recent mailings. Last year I started moving legal files to the basement, in the hope that I'd be able to open the French doors to the north this summer. I was never able to complete this because I had no help and cannot safely try to move the half-cabinets myself. If there is need for them I can go look for them and I'm confident they'll be the case file that was shifted when we was last here.

Re Marik-JUNE records: when Paris copied it on they also used thin colored cardboard to separate and in the past, were I had identifications, I added them to the separate file folder into which I placed each cardboard-separated section. Yesterday I filed the JUNE stuff with the covering letter you sent. It is not urgent for me to know what each means but it undoubtedly could be valuable to scholars in the future.

Not only does Arocha figure in the filed officers suit but so also does the Hunt decision you sent. It eliminates the FBI's pretended basis for most of its (7)(D) withholdings and confirms what I claimed in many appeals and probable in some affidavits. Conceivably it could give the FBI headaches in a 1996 remand where the same indefensible withholding was practised extensively over my stated objections and appeals. (However, henceforth you can expect at least the CIA to begin every report with the promise of confidentiality because its real reason is not confidentiality but covering its own and general obstruction.)

You ask if when I got the Criminal records they included the 9/18/67 routing slip questions referred to in graf 1 of CIA FOI-0254/1. I do not recall but I can check, if you want, but unless it shows on the check cannot be definitive because those records are not arranged or disclosed chronologically. Is it important?

The CIA's responses are not at all definitive and appear to be evasive and incomplete. For example, the Shaw response is limited to Domestic Contact Service records. It does not state that any other component was checked and it does not state that there are no other records.

Aside from introducing Cabell in 1961, the answer represents that the last contact with Shaw was in 1956. I find this difficult to believe, even in the limited DCS content because of the nature of his position and the nature of the information that continued to be available to him in that position. If I am correct, that he continued to be a worthwhile source to the CIA (whether or not anything else), then it is inevitable that the contact(s) with him where by other than DCS. Or he was replaced by someone else. I presume that with regard to Shaw and the answers to other questions Bud will ask for the information DCS was to have provided.

Under Arocha the CIA claims that the answer to B, the its relationship with FRD, "This question has been answered above." But it isn't even addressed. All that the CIA states in a relates to Arocha, and it says of him only that "there never was a direct (emphasis added) relationship between ARCACHA and CIA." There are two exemptions, both alleged to prevent "disclosure" of intelligence methods. There is no likelihood of any "disclosure" of any secret method involved. Arocha's use of a post office box at Coral Gables to report to FRD supports that he reported and thus the CIA knew to the CIA operation there.

There is no response at all to "c. What was the Agency's interest in and support of the CRC?" The response is limited to reference to the formations of CRC and its leadership.. I was not aware that the CRC was formed "in late 1960 and early 1961." In 1000 Days Schlesinger says it was formed at the Skylark Hotel, Miami, about

3/17/61 or just before the Bay of Pigs. Its formation, by the CIA, is what lou Hunt to retire from the project. The questions asks about the CIA's "interest in and support of" CRC. There is no mention of Lechter. An honest answer would have included that the CIA forced formation of CRC, over strongly-voiced internal objections, and that it financed it through 4/63.

These and other answers hinge on the word "associated." That Novel, for example, was not "associated with" CIA does not mean that they had no relationship of any kind -- and I cannot prove that they did. I merely point out that the CIA is equivocal throughout.

With regard to the lawyers, the denial is limited to direct payment by the CIA. While there may have been no connection (and Lotkin is only one of Novel's lawyers) it is equivocal. The money could and if passed undoubtedly would have been other than directly from the CIA.

Reference to Double-Check (4 e) likewise is evasive and equivocal. It also is interesting that the answer to 4f makes no mention of the H garst involvement in the Novel polygraph by Furr.

With regard to Eladio Davis (8) he is quite a liar but for whatever it is worth, he knew in advance of the raid, that he knew was confirmed to me by his then girl friend, whom I found and interviewed her, and I can't think of a better explanation than he got it from a federal agency, not the CIA. Whether the CIA was connected with the so-called "training" at those camps is another question. Because they were intended to impress those from whom the Cubans hope to extract money and involved no real training, I believe the CIA's denial.

For the most part the other answers (and foton questions) likewise are not evasive or unequivocal. The answer to 14 is not an answer, it is a conjecture, and the conjecture is based upon disclosure in the Mexico City picture of the Russian Embassy, which does not show in the picture as disclosed.

16 says that Oswald was at Atsugi for "hardcore training." That is news to me. I believe he worked as a radar operator there. This equivocal response is not asked for in the question so the CIA had some purpose in its misrepresentation.

The denial of "interest in or contact with" other lawyers (17) is as stated above and also is interesting because it makes no reference to other lawyers, like the workhorse of the Shaw defense, Sol Pernora.

I do not suggest that this evasiveness and equivocation need have special significance, although the dishonesty and nonresponsiveness (as with CRC) does. It is so much a stock way of life it can be automatic and without special significance. So, the question of significance remains.

I assume and believe that the listed Shaw-DAS contacts are normal and proper because he did, certainly, come into possession of normal and worthwhile intelligence. But this is separate from any other kind of relationship, however, indirect.

Thanks and best,

To: Jim Lesar

CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

20 JUL 1983

Bernard Fensterwald, Jr., Esquire
Suite 900, Twin Towers Building
1000 Wilson Boulevard
Arlington, VA 22209

Dear Mr. Fensterwald:

This is in response to your 1 April 1982 Freedom of Information Act (FOIA) request made on behalf of your clients J. Gary Shaw and Mark Allen for "all records (including "see references" or cross references) maintained by your agency pertaining to Hugh Ward, a New Orleans private investigator and pilot whom Jim Harrison claimed was involved with David Ferrie and anti-Castro Cuban exiles."

The Central Intelligence Agency's record review process for this request, listed as F82-0254 (Count 1) under CA 82-1603 (prior to consolidation CA82-1667), has been completed. One Agency-originated document has been found during the search of files. Mr. Louis J. Dube, the Information Review Officer for the Directorate of Operations, has determined on review of this document (F82-0254/1) that it may be released in part to your clients. The portions deleted are being withheld to protect information properly falling within the scope of exemptions (b)(1) and (b)(3) of the FOIA.

Exemption (b)(1) of the FOIA encompasses matters which are specifically authorized under criteria established by the appropriate Executive order to be kept secret in the interest of national defense or foreign policy and which are, in fact, currently and properly classified.

Exemption (b)(3) of the FOIA encompasses matters which are specifically exempt from disclosure by statute. The relevant statutes are section 6 of the Central Intelligence Agency Act of 1949, as amended, 50 U.S.C. §403g, which exempts from the disclosure requirement information pertaining to the organization, functions, names, official titles, salaries or numbers of personnel employed by the Agency, and subsection 102(d)(3) of the National Security Act of 1947, as amended, 50 U.S.C. §403(d)(3), which makes the Director of Central Intelligence responsible for protecting intelligence sources and methods from unauthorized disclosure.

A releasable copy of document F82-0254/1 and a copy of the deletion category list are enclosed.

Sincerely,

Larry R. Strawderman
Information and Privacy Coordinator

Enclosure, a/s

DELETION CATEGORY LIST

A. Name or other personal identifier of an intelligence source, exemptions (b)(1) and (b)(3).

B. Circumstantial information which, in combination with other information, could lead to the identification of an intelligence source, exemptions (b)(1) and (b)(3).

C. Information confirming the existence of a liaison relationship with a Foreign Intelligence or Security Service, exemptions (b)(1) and (b)(3).

D. Foreign Government Information received pursuant to an arrangement of assured confidentiality, exemptions (b)(1) and (b)(3).

E. Information disclosing an intelligence method used in intelligence analytical activities, exemptions (b)(1) and (b)(

F. Information disclosing an intelligence method used in intelligence collection, exemptions (b)(1) and (b)(3).

G. Location of a CIA field installation or circumstantial information which would reveal the location of a CIA field installation, exemptions (b)(1) and (b) (3).

H. A pseudonym or a cryptonym, exemptions (b)(1) and (b)(3).

I. Information identifying a CIA staff employee, exemption (b)(3)

J. Information identifying a CIA organizational component, exemption (b)(3).

K. Filing instructions and information processing, storage, and retrieval markings, exemption (b)(3).

L. Information which, if publicly disclosed, would constitute a clearly unwarranted invasion of personal privacy, exemption (b

M. Information originated with, and withheld at the request of, another Federal Agency.

N. Classification and related information control markings.

N

26 Sep 1967

MEMORANDUM

SUBJECT : Garrison Investigation:
Queries from Justice Department

1. By routing slip of 18 September 1967 the General Counsel has forwarded questions prepared by the Deputy Assistant Attorney General, Criminal Division, and one of his aides.

2. The first set of questions concerns Clay Shaw. The questions are as follows:

a. <u>During the 1948-1956 period of his association with CIA, what services did Clay Shaw perform for the Agency?</u> Our records show that Shaw submitted to the New Orleans office of the Domestic Contact Service information which was incorporated in eight reports. These reports all concerned international trade. One dealt with an East German directory of firms engaged in such trade. Another concerned the establishment of a Czechoslovakian Trade Exhibit. Still others contained information about foreign exchange problems in Peru, opposition to the Peruvian government in early 1949, highway construction in Nicaragua, politics in Argentina, and similar subjects.

b. <u>What was his remuneration?</u> Our files do not contain the answer. It is requested that DCS supply this information.

c. <u>What were his contacts?</u> Shaw was in contact with a DCS representative in New Orleans seven times in 1949, twice in 1950, five times in 1951, nine times in 1952,

APPROVED FOR RELEASE
Date 7 July 83

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once in 1953, twice in 1954, twice in 1955, and twice in 1956. On 9 May 1961 Shaw, the program chairman, introduced the then Deputy Director of CIA, General Charles P. Cabell, who gave a speech to the New Orleans Foreign Policy Association. There are no other known contacts.

d. What was the reason for the cessation of the relationship? Our files do not contain the answer. It is requested that DCS furnish this information.

3. The second group of questions concerns Sergio ARCACHA Smith.

a. Whereas one FBI report says that ARCACHA was formerly the registered agent of the FRD (Frente Revolucionario Democratico), another states that there was no association between him and CIA. What was the exact nature of his relationship with the Agency? Our records show that there was never a direct relationship between ARCACHA and CIA. ARCACHA became the FRD delegate in New Orleans on 11 November 1960 and remained in that position until the FRD ceased to function in October 1961. The FRD was created in May 1960 [redacted] Consisting of several anti-Castro groups, it was a political action, propaganda, and military unit. FRD headquarters were in Miami. During the period from November 1960 to October 1961 ARCACHA reported to FRD headquarters in Miami through a post office box in Coral Gables. [redacted]

b. What was CIA's interest in and support of the FRD? This question has been answered above.

c. What was the Agency's interest in and support of the CRC (Cuban Revolutionary Council)? The CRC was formed in late 1960 and early 1961. In October 1961 it completely

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[redacted]

absorbed the FRD. The CRC was headed by Dr. Jose MIRO Cardona, who was assisted by Manuel ARTIME and Dr. Antonio VARONA.

d. What was CIA's interest in and support of the Crusade to Free Cuba Committee? Our records indicate that ARCACHA was one of the promoters of the Friends of Democratic Cuba, Inc., with which CIA was not associated, but do not contain information about the Crusade to Free Cuba Committee.

4. The next group of questions deals with Gordon NOVEL.

a. Garrison has charged that the burglary of the Houma munitions dump in 1961 was "CIA-inspired". The Houma burglary should be explored. The facts are that CIA had no connection with the alleged burglary of the Houma munitions bunker or dump and also no connection with the dump itself.

b. NOVEL, who participated in the burglary, has stated that he is or was a CIA agent. The statement is false. NOVEL was never associated with CIA.

c. Steven PLOTKIN, Novel's New Orleans lawyer, has claimed to be paid by the CIA. Although Garrison has claimed that PLOTKIN and other defense attorneys are or have been paid by CIA, we were not aware that PLOTKIN himself had made such a statement. The New Orleans Times-Picayune of 12 May 1967 carried an explicit denial by PLOTKIN of having received money from CIA. In any case, there is no CIA record of PLOTKIN. Like NOVEL, he has had no association with this Agency.

d. We should attempt to learn the exact relationship of Novel's former business partner, Rancier Blaise EHLINGER, to CIA. A check of our records has shown that there was no such relationship.

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e. In respect to NOVEL's letter (or what has been reported as his letter) to a "Mr. Weiss" of CIA, we should determine where any person on the CIA staff in Washington or New Orleans has that name. Whether CIA ever retained a fnu WEISS in a staff capacity is still being checked. It is noted, however, that NOVEL's information about the Double-Chek operation may have been derived from the erroneous account of it which appears in The Invisible Government, written by Wise and Ross.

f. Garrison has charged that NOVEL's trip to Washington in late March was financed by CIA, and that the Agency administered a polygraph test to him. The charge is false. The Washington Daily News of 27 March 1967 reported that during the week-end of 25-26 March NOVEL was in the Washington area (later press accounts specified McLean, Virginia) and was given a polygraph examination by a private detective named Lloyd FURR. CIA had nothing to do with this examination. NOVEL stated to the FBI that Walter SHERIDAN of NBC was present when the test was given.

5. What was the exact relationship of Jack RUBY to CIA and what was the extent of CIA's file on RUBY before the assassination? RUBY was never associated with CIA, and the Agency had no file on RUBY before the assassination.

6. The next group of questions concern Lee Harvey OSWALD.

a. Garrison has alluded to a telegram that was allegedly received at the State Department on 10 October 1967 from the CIA. . . . We should attempt to learn the contents of that telegram. The telegram concerned OSWALD's trip to Mexico City and his visit to the Soviet Embassy there. Further information on this subject appears in The Warren Commission Report on p. 777. It is suggested that a copy of the telegram be made available to the Attorney General's office if desired.

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b. The CIA photograph of the unidentified man in Mexico City. The man was thought to be possibly OSWALD when the photo was turned over to the FBI after the assassination. It was subsequently determined that it was not a picture of him, and the man who does appear remains unidentified to date. CIA did not photograph OSWALD in October 1963 or at any other time. There was no relationship between CIA and OSWALD at any time.

7. What was the exact relationship between CIA and David FERRIE? What was the extent of CIA's file on FERRIE before the assassination? There was no relationship, and there was no file before the assassination.

8. Richard Rudolph DAVIS apparently managed the training camp that was operated on the far side of Lake Pontchartrain in July 1963. What was the CIA relationship with him? Is he associated with the "Free Cuba Committee"? There is no association between DAVIS and CIA, nor has there been. CIA had nothing to do with the training site on the north shore of Lake Pontchartrain, near Lacombe, La. FBI reporting has listed DAVIS, a Cuban, as a New Orleans delegate of the Christian Democratic Movement (MDC) but has also quoted one other Cuban as saying that DAVIS was not an MDC delegate. This source and others characterize DAVIS as a heavy drinker with a vivid imagination.

Is DAVIS associated with the Free Cuba Committee? Our files do not contain the answer. [redacted]

9. CIA association with Alvin BEAUBOUEF. There is not and has not been an association between CIA and BEAUBOUEF. CIA had nothing to do with BEAUBOUEF's trip to Washington, other than to report to the FBI on 9 May 1967 information about the trip which was supplied by a CIA contact.

10. Was Guy BANISTER or Hugh WARD associated with CIA? No.

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11. Were there any CIA employees or operatives among the White Russians with whom OSWALD was associated in Dallas? No. CIA's information on this score is summarized on pp. 716-723 of the Warren Report.

12. Is there any CIA association with George de MOHRENSCHILDT? No.

13. Is CIA tapping Garrison's phone? No.

14. If indeed the CIA did photograph visitors to the Soviet Embassy in Mexico City, how would Garrison know? Presumably he learned of the photograph in question from the Warren Report.

15. Who is the J. Garrett UNDERHILL referred to in Garrison's Playboy interview as a former CIA agent? UNDERHILL was born 7 August 1915 in Brooklyn, was graduated from Harvard in 1937, and committed suicide on 8 May 1964. He served with the Military Intelligence Service from 8 July 1943 to May 1946 as an expert in photography, enemy weapons, and related technical specialties. He was in infrequent contact with the New York office of the Domestic Contact Service, of CIA from late 1949 to the mid-'50s. The contact was routine. Mr. UNDERHILL was not an employee of CIA.

16. What is CIA's interest in the Atsugi AF Base in Japan? U-2's were based there. The fact that OSWALD underwent marine training there is coincidental. The marine's training site was removed from the U-2 area, to which the marines did not have access.

17. What is the CIA's interest in or contact with some of the lawyers for figures involved in the probe: ANDREWS, ZELDEN, WEINER, DYMOND, WEGMANN brothers, BALDWIN, etc? Garrison has stated that they are all on the CIA payroll.

We know of no lawyers involved in the probe who are on the CIA payroll or who have received funds or other assistance from CIA. The following lawyers have been checked, all with negative results.

a. Dean ANDREWS, convicted of perjury.

b. Ernest COLVIN, Jr., attorney for Sergio ARCACHA Smith.

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c. Jack GREMILLION, the state's Attorney General.

d. Burton KLEIN, attorney for Alvin BEAUBOUEF.

e. Steven R. PLOTKIN, attorney for Gordon NOVEL.

f. James F. QUAID, a New Orleans attorney who offered his services to CIA (and who may have done so as a provocation). The offer was not accepted.

g. Everett Gordon SCHAEFFER (phonetic), a lawyer, allegedly took a deposition from David FERRIE. (FBI information.)

18. Traces are now being instituted on the following:

a. Allen ADELSON, a Detroit attorney who talked with Garrison and who said on WRC/TV, 22 May 1967, that he can prove false everything that Garrison is saying.

b. Sal DANN, formerly an attorney for Jack RUBY. He has urged that Garrison be disbarred by the Louisiana Bar Association.

c. Irwin F. DYMOND, attorney for Clay SHAW.

d. Frank HERNANDEZ, another attorney for ARCACHA.

e. Frank J. SHEA, formerly an attorney for ANDREWS.

f. Edward F. WEGMANN and William J. WEGMANN, attorneys for SHAW.

g. Jerry WEINER, Ohio attorney for NOVEL.

h. Sam Monk ZELDEN, an attorney for NOVEL.

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19. We have no record of fnu BALDWIN but will be glad to trace him, or any other lawyer in the case, if identifying data can be provided.

[redacted]

Attachment

Distribution:

Orig - General Counsel w/att
1 - Office of Security
1 - D/DCS
1 - A/DCI
1 - [redacted]
1 - [redacted]
1 - [redacted]